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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,635	12/12/2001	Manfred Atorf	PHDE 000224	9236

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EXAMINER	
TIEU, BINH KIEN	
ART UNIT	**PAPER NUMBER**
2614	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/021,635	ATORF, MANFRED	
	Examiner	Art Unit	
	BINH K. TIEU	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-18 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Pat. #: 6,671,506 as cited in the previous Office Action) in view of Son et al. (US. Pat. #: 6,201,957).

Regarding claims 1 and 30, Lee teaches a method of operating a telecommunication system that enables operation of a mobile telephone at different user rates that are dependent on the instantaneous location (i.e., first rate or second rate dependent on location of terminal 150 in either home zone or outside of home zone, col.5, lines 15-52), characterized in that a local fixed station (i.e., a home zone signal generator 100 as shown in figure 4) at the user end transmits a first signal of limited range that is received by a mobile telephone (i.e., terminal 150 receives or senses of signal generated from the home zone signal generator) that is associated with the fixed station, that is, provided that this mobile telephone is within the range of the transmission signal (col.4, lines 24-38).

It should be noticed that Lee fails to clearly teach or suggest a base station of the telecommunication system which switches over to a different user rate in response to the reception of the second signal. However, Son et al. (Hereinafter, "Son") teaches a method for

implementing flexible calling plans that allows a wireless telephone subscriber to define the home regions by the area of coverage provided by one or more cell sites cellular service or cell-site equivalent. Parameters transmitted by a serving base station such as a base station I.D., sector ID, or pilot offset are received by the wireless subscriber's telephone as identify whether subscriber is currently in the home region. Son further teaches a scenario where a call is initiated outside of the subscriber's home region and the subscriber subsequently enters his or her home region while the call is in process (col.8, line 44 through col.9, line 12). Son also teaches that a roaming request signal is also transmitted to a base station to request roaming service (i.e., handoff service, col.9, line 13 through col.10, line 4) for a purpose of obtaining lower charge rate.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teachings of the features of a base station of the telecommunication system which switches over to a different user rate in response to the reception of the second signal, as taught by Son, into view of Lee in order to quickly processing the billing parameters between different charge rates.

Regarding claim 2, Lee further teaches the limitations of the claim in col.4, lines 49-61.

Regarding claim 3, Lee further teaches the limitations of the claim in col.4, line 62 through col.5, line 14.

Regarding claims 4-5, Lee further teaches the limitations of the claims in col.5, lines 15-35 and lines 53-62.

Regarding claim 6, Lee further teaches the limitations of the claim in col.5, line 37-43.

Regarding claim 7, Lee further teaches the limitations of the claim in col.7, lines 6-9.

Regarding claims 8-9, Lee further teaches the limitations of the claims in col.5, lines 4-14 and col.7, lines 45-55.

Regarding claim 10, Lee teaches a system comprising: a mobile radio network with at least one base station as well as a mobile telephone that can operate within the mobile radio network (i.e., mobile radio network as shown in figure 4), and a local fixed station that is provided at the user end and is associated with the mobile telephone (i.e., a home zone signal generator 100 and terminal 150), where

- the fixed station includes a transmission means for transmitting a first signal of the limited range (col.3, line 66 through col.4, line 5),
- the mobile telephone includes a receiving means for the first signal for switching from a first to a second user rate for the use of the mobile radio network by the mobile telephone (col.4, line 24-36 and col.5, lines 15-52).

It should be noticed that Lee fails to clearly teach or suggest a base station of the telecommunication system, which switches over to a different user rate in response to the reception of the second signal. However, Son et al. (Hereinafter, "Son") teaches a method for implementing flexible calling plans that allows a wireless telephone subscriber to define the home regions by the area of coverage provided by one or more cell sites cellular service or cell-site equivalent. Parameters transmitted by a serving base station such as a base station I.D., sector ID, or pilot offset are received by the wireless subscriber's telephone as identify whether subscriber is currently in the home region. Son further teaches a scenario where a call is initiated outside of the subscriber's home region and the subscriber subsequently enters his or her home region while the call is in process (col.8, line 44 through col.9, line 12). Son also teaches that a

roaming request signal is also transmitted to a base station to request roaming service (i.e., handoff service, col.9, line 13 through col.10, line 4) for a purpose of obtaining lower charge rate.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teachings of the features of a base station of the telecommunication system which switches over to a different user rate in response to the reception of the second signal, as taught by Son, into view of Lee in order to quickly processing the billing parameters between different charge rates.

Regarding claim 11, Lee further teaches the limitations of the claim col.4, lines 42-61.

Regarding claim 12, Lee further teaches the limitations of the claim col.4, line 62 through col.5, line 14.

Regarding claims 13-14, Lee further teaches the limitations of the claims col.5, lines 15-35 and lines 53-62.

Regarding claim 15, Lee further teaches the limitations of the claim col.5, line 37-43.

Regarding claim 16, Lee further teaches the limitations of the claim col.7, lines 6-9.

Regarding claims 17-18, Lee further teaches the limitations of the claims col.5, lines 4-14 and col.7, lines 45-55.

Regarding claims 19 and 26, Lee teaches the home zone signal generator 100 to be used and located in a house as household appliance (see figure 4, col.1, lines 37-47). It should be understood that the home zone signal generator 100 could be supplied power from either batteries or AC power supply household outlet. Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made in corporate the use of supplying the

home zone signal generator 100 with AC supply source from a household AC power supply outlet in order to constantly provide power to its performance.

3. Claim 20-25 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Pat. #: 6,671,506) in view of Son et al. (US. Pat. #: 6,201,957) as applied to claim 10 above, and further in view of Vucetic et al. (US Pat. #: 5,819,177 also cited in the previous Office Action).

Regarding claims 20-22 and 27-29, Lee and Son, in combination, teaches all limitations of the fixed station. Lee fails to clearly teach the features of receiving and comparison mean for an access code and enabling the fixed station upon interruption of the power supply, which are common and well-known features. Vucetic et al. (Vucetic) teaches WLL OAMPC 80 as shown in figures 6 and 7. An operator can reset the WLL OAMPC 80 with correct entered access code (i.e., user identifier, password, or the like, col.9, lines 61 through col.10, line 5) for a purpose of securities.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made in corporate the use of the features of receiving and comparison mean for an access code and enabling the fixed station upon interruption of the power supply, as taught by Vucetic, into view of Lee and Son in order to prevent unauthorized user from access to the fixed station.

Regarding claim 23, Lee teaches a fixed station (i.e., a home zone signal generator 100) comprising a transmission means for transmitting an encoded radio signal of limited range (col.4, line 42 through col.5, line 14) and Son teaches the wireless subscriber's telephone detects a base station ID of the service base station, a sector ID, or beacon signals, etc.

It should be noticed that Lee and Son, fails to clearly teach said fixed station further comprising receiving and comparison means for an access code that is to be applied to a fixed station, via a mobile telephone, in order to put the fixed station into operation. However, Vucetic teaches the concept of receiving a correct password input from an operator to activate a WLL OAMPC 80 (col.9, lines 61 through col.10, line 5) for a purpose of reboot, reset and/or securities.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made in corporate the use of the features of receiving and comparison mean for an access code and enabling the fixed station upon interruption of the power supply, as taught by Vucetic, into view of Lee and Son in order to prevent unauthorized user from access to the fixed station.

Regarding claim 24, Lee further teaches limitations of the claim in col.5, lines 4-14 and col.7, lines 45-55.

Regarding claim 25, Lee further teaches limitations of the claim in col.4, line 62 through col.5, line 14.

Response to Arguments

4. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

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BINH TIEU
PRIMARY EXAMINER
Art Unit 2614

Date: July 18, 2006